



BEST AVAILABLE COPY

PATENT
56318-310543

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
YAMAMOTO, Ryoustake, et al.

Serial No.: 10/501,489

Filed: January 5, 2005

For: **REFRIGERATOR HAVING ALARM DEVICE
FOR ALARMING LEAKAGE OF REFRIGERANT**

Art Unit: 3744

Examiner: Not yet assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Filing Receipt Corrections, P.O. Box 1450, Alexandria, VA, 22313-1450, on March 28, 2005.

By:


Roger R. Wise, Reg. No. 31,204

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
Filing Receipt Corrections
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On November 10, 2004, a "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office" was issued by the Patent Office addressed to Pillsbury Winthrop LLP at 725 South Figueroa, Suite 2800, Los Angeles, CA 90017-5406. However, said Notification was inadvertently mailed to Morrison & Foerster LLP in McLean, Virginia, who then forwarded to us the said Notification via facsimile on January 6,

2005, four days before the due date to file the response. The response to the Notification was then filed on February 8, 2005 with an extension fee.

Subsequently, a Filing Receipt and a Notice of Acceptance of Application bearing Serial No. 10/501,489 dated January 21, 2005 were issued by the Office. This time however, both documents were incorrectly addressed and again mailed to Morrison & Foerster LLP at 1650 Tysons Boulevard, Suite 300, McLean, Virginia who again forwarded to us both documents. Although the filing receipt is addressed to Morrison & Foerster, the Power of Attorney information correctly indicates Roger Wise of Pillsbury Winthrop LLP, Registration Number 31,204 as the attorney-in-fact for this application. Also, the names of the inventors indicated on the filing receipt are not the inventors for this application.

Accordingly, please replace Morrison & Foerster LLP on the heading of the Filing Receipt and the Notice of Acceptance of Application with the following information:

27496
PILLSBURY WINTHROP LLP
725 South Figueroa, Suite 2800
Los Angeles, CA 90017-5406

Also, please delete the names of the inventors on the filing receipt and replace with the following names:

RYOUSUKE YAMAMOTO
SUSUMU SARUTA
MUNEHIRO HORIE
KATSUSHI SUMIHIRO

Enclosed are photocopies of the following documents in support of this request and for your reference:

1. Notification of Missing Requirements dated November 10, 2004.
2. Return postcard bearing Serial No. 10/501,489 accorded this application (front & back).
3. Declaration filed with this application bearing the names of the inventors.
4. Filing receipt with requested corrections in redline.
5. Notice of Acceptance of Application with requested correction in redline.

A Change of Correspondence Address is also enclosed. It is hereby requested that all future communications pertaining to this application be mailed to the address below.

Respectfully submitted,
PILLSBURY WINTHROP LLP

Dated: March 28, 2005

By: 

Roger R. Wise
Registration No. 31,204
Attorney for Applicant(s)

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033



MAR 31 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/501,489	01/05/2005	3744	1352	0310543	21	19	5

Correct

25227

MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102

27496

PILSBURY WINTHROP LLP
725 S. FIGUEROA ST.
SUITE 2800
LOS ANGELES, CA 90017-5406

CONFIRMATION NO. 2516

FILING RECEIPT



OC000000014974003

Date Mailed: 01/21/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~Keizou Kawahara, Shiga, JAPAN;~~
~~Shigeto Yoshida, Shiga, JAPAN;~~
~~Masayuki Tsutsumi, Shiga, JAPAN;~~
~~Daisuke Sakura, Shiga, JAPAN;~~
~~Akinobu Nagara, Shiga, JAPAN;~~
~~Yoshiko Akitomo, Shiga, JAPAN;~~
~~Neriko Takahashi, Shiga, JAPAN;~~
~~Naonobu Oda, Aichi, JAPAN;~~
~~Kazumoto Imai, Aichi, JAPAN;~~
~~Kunio Takeuchi, Aichi, JAPAN;~~
~~Hiroshi Nagano, Aichi, JAPAN;~~
~~Hisato Kobayashi, Shiga, JAPAN;~~
~~Keiji Mori, Tokyo, JAPAN;~~
~~Yasuhisa Fujita, Osaka, JAPAN;~~

RYOUSUKE YAMAMOTO, OSAKA, JAPAN
SUSUMU SARUTA, OSAKA, JAPAN
MUNEHIRO HORIE, OSAKA, JAPAN
SA KATSUSHI SUMIHIRO, OSAKA, JAPAN

Power of Attorney:

Roger Wise-31204

Correct

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP02/13836 12/27/2002 — Correct

Foreign Applications

JAPAN 2002-5500 01/15/2002 — Correct

Projected Publication Date: 04/28/2005

Non-Publication Request: No

Early Publication Request: No

Title

Refrigerator having alarm device for alarming leakage of refrigerant

Preliminary Class

062

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



MAR 3 1 2005
PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,489	Keizou Kawahara RYOUSUKE YAMANOTO	0310543

INTERNATIONAL APPLICATION NO.

PCT/JP02/13836

IA FILING DATE	PRIORITY DATE
12/27/2002	01/15/2002

25227

MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102

27496

PLUMBURY VINTAGE LLP
125 S. FIGUEROA ST., #2800
LOS ANGELES, CA 90017-5406

CONFIRMATION NO. 2516

371 ACCEPTANCE LETTER



OC000000014974004

Date Mailed: 01/21/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

01/05/2005

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and
(c)(4) REQUIREMENTS

01/05/2005

DATE OF COMPLETION OF ALL 35 U.S.C. 371
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 07/13/2004
- English Translation of the IA filed on 07/13/2004
- Copy of the International Search Report filed on 07/13/2004
- Copy of IPE Report filed on 07/13/2004
- Preliminary Amendments filed on 07/13/2004
- Information Disclosure Statements filed on 07/13/2004
- Oath or Declaration filed on 01/05/2005
- Request for Immediate Examination filed on 07/13/2004
- U.S. Basic National Fees filed on 07/13/2004
- Assignment filed on 01/05/2005
- Priority Documents filed on 07/13/2004

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

ANITA D JOHNSON
Telephone: (703) 305-3661

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

MAR 31 2005
PATENT & TRADEMARK OFFICE

DT03 Rec'd PCT/PTO 13 JUL 2004

§ 101 CLASSIFICATION File No. 0310543 Date Mailed 7/13/04 By: RRU/KIS

Title: REFRIGERATOR COMPRISING ALARM BELL

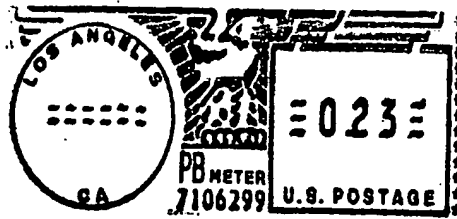
(Client Name) MIYOSHI & MIYOSHI

The Following, due 7/15/04, in the U.S. Patent & Trademark Office was received in the Patent & Trademark Office on the date stamped hereon:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Amendment | <input checked="" type="checkbox"/> Preliminary Amendment |
| <input checked="" type="checkbox"/> PCT Application Including | <input type="checkbox"/> Formal <input type="checkbox"/> Informal |
| <input type="checkbox"/> Pages Spec. <input type="checkbox"/> Page Abstract. <input type="checkbox"/> Claims | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Application for Patent Including | <input type="checkbox"/> Letter Re <input type="checkbox"/> |
| 26 Pages Spec. 1 Page Abstract. 19 Claims | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Declaration, Affidavit of Oath (<input type="checkbox"/> Page(s)) | <input type="checkbox"/> Petition for <input type="checkbox"/> |
| <input type="checkbox"/> Assign; Ch. No. <input type="checkbox"/> for \$ <input type="checkbox"/> | <input type="checkbox"/> Advance soft copy order |
| <input type="checkbox"/> Verified Statement | <input type="checkbox"/> Ch. No. <input type="checkbox"/> for \$ <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Letter of Transmittal | <input checked="" type="checkbox"/> Certified Copy; # <input type="checkbox"/> of Docs. |
| <input type="checkbox"/> Maintenance Fee Transmittal | <input checked="" type="checkbox"/> IDS: <input checked="" type="checkbox"/> References |
| <input checked="" type="checkbox"/> Check No. 808950 For \$ 1222- | <input checked="" type="checkbox"/> 1051449 |
| <input type="checkbox"/> Check No. <input type="checkbox"/> For \$ <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Check No. <input type="checkbox"/> For \$ <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> CERTIFICATE OF EXPRESS MAIL | |

10/501489

EL 723 944 095 45



RECEIVED

PILLSBURY WINTHROP LLP/LA

Pillsbury Winthrop LLP

**JUL 26 2004 725 SOUTH FIGUEROA STREET
SUITE 2800**

CLF _____ **LOS ANGELES, CALIFORNIA 90017-5406**

ATTY(S) _____

DUE: _____

DKT BY (1) _____



FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 93 (37 C.F.R. 1.55)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED: **REFRIGERATOR COMPRISING ALARMING DEVICE FOR GIVING ALARMING SIGNAL WARNING AGAINST REFRIGERANT LEAK**

the specification of which (CHECK applicable BOX(ES))

X ☐ A. ☐ is attached hereto.
BOX(ES) ☒ B. ☒ was filed on July 13, 2004 as U.S. Application No. 10/801,489
☒ C. ☒ was filed as PCT International Application No. PCT/JP02/13836 on December 27, 2002
and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 355(b) of any foreign application(s) for patent or inventor's certificate, or 355(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

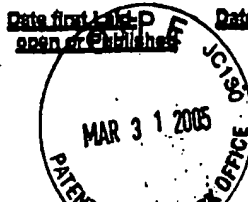
PRIOR FOREIGN APPLICATION(S)

Number	Country	Date/MONTH/Year Filed	Date first filed or open or published	Date Patented or Granted	Priority NOT Claimed
2002-005500	Japan	15 January 2002			
2002-008309	Japan	17 January 2002			

Date first filed or open or published

Date Patented or Granted

Priority NOT Claimed



If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(a) or 120 and/or 355(a) of the United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, (1) as to the subject matter disclosed and claimed in this application in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT International filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

Application No. (series code/serial no.)	Date/MONTH/Year Filed	Status	Priority NOT Claimed
		pending, abandoned, patented	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, telephone number (212) 468-7100 (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 27496 (see below label) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/transmits this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

USE ONLY FOR
PILLSBURY WINTHROP

27496

(Customer No. for communications)

Ryosuke Yamamoto

February 1, 2005

(1) INVENTOR'S SIGNATURE:

Date:

Ryosuke		YAMAMOTO	
First	Middle Initial	Family Name	
Residence	Osaka	Japan	Japan
City	State/Foreign Country		Country of Citizenship
Mailing Address	c/o Intellectual Property Division, KABUSHIKI KAISHA TOSHIBA, 1-1, Shibaure 1-chome, Minato-ku, Tokyo, Japan		
(Include Zip Code)	105-8001		

(2) INVENTOR'S SIGNATURE:

Date:

February 1, 2005

Susumu		SARUTA	
First	Middle Initial	Family Name	
Residence	Osaka	Japan	Japan
City	State/Foreign Country		Country of Citizenship
Mailing Address	c/o Intellectual Property Division, KABUSHIKI KAISHA TOSHIBA, 1-1, Shibaure 1-chome, Minato-ku, Tokyo, Japan		
(Include Zip Code)	105-8001		

☒ FOR ADDITIONAL INVENTORS see attached page.

☐ See additional foreign priorities on attached page (Incorporated herein by reference).

Atty. Dkt. No.

(M#)

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BEST AVAILABLE COPY DECLARATION AND POWER OF ATTORNEY

(continued)
ADDITIONAL INVENTORS

February 1, 2005

(3) INVENTOR'S SIGNATURE:

Munehiro Horie

Date:

Munehiro		HORIE	
First	Middle Initial	Family Name	
Residence	Osaka	Japan	Japan
City	State/Foreign Country		Country of Citizenship
Mailing Address	c/o Intellectual Property Division, KABUSHIKI KAISHA TOSHIBA, 1-1, Shibaura 1-chome, Minato-ku, Tokyo, Japan		
(Include Zip Code)	105-8001		

February 1, 2005

(4) INVENTOR'S SIGNATURE:

Katsushi Sumihoro

Date:

Katsushi		SUMIHIRO	
First	Middle Initial	Family Name	
Residence	Osaka	Japan	Japan
City	State/Foreign Country		Country of Citizenship
Mailing Address	c/o Intellectual Property Division, KABUSHIKI KAISHA TOSHIBA, 1-1, Shibaura 1-chome, Minato-ku, Tokyo, Japan		
(Include Zip Code)	105-8001		

(5) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial		Family Name	
Residence	City		State/Foreign Country		Country of Citizenship
Post Office Address	(Include Zip Code)				

(6) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial		Family Name	
Residence	City		State/Foreign Country		Country of Citizenship
Post Office Address	(Include Zip Code)				

(7) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial		Family Name	
Residence	City		State/Foreign Country		Country of Citizenship
Post Office Address	(Include Zip Code)				

(8) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial		Family Name	
Residence	City		State/Foreign Country		Country of Citizenship
Post Office Address	(Include Zip Code)				

(9) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial		Family Name	
Residence	City		State/Foreign Country		Country of Citizenship
Post Office Address	(Include Zip Code)				

Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)
PATENT AND TRADEMARK CASES - RULES OF PRACTICE
DUTY OF DISCLOSURE

BEST AVAILABLE COPY

- (a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g)
 - (1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or
 - (2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

* Six months for Design Applications (35 U.S.C. 172).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 148
Alexandria, Virginia 22313-1480
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/501,489	FIRST NAMED APPLICANT Ryousuki Yamamoto	ATTY. DOCKET NO. 0310543
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Pillsbury Winthrop
Intellectual Property Group
725 South Figueroa Street
Suite 2800
Los Angeles, CA 90017-5406



INTERNATIONAL APPLICATION NO. PCT/IP02/13836	
LA. FILING DATE 12/27/2002	PRIORITY DATE 01/15/2002

CONFIRMATION NO. 2516

371 FORMALITIES LETTER



0C000000014334897

Date Mailed: 11/10/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/13/2004
- English Translation of the IA filed on 07/13/2004
- Copy of the International Search Report filed on 07/13/2004
- Copy of IPE Report filed on 07/13/2004
- Preliminary Amendments filed on 07/13/2004
- Information Disclosure Statements filed on 07/13/2004
- Request for Immediate Examination filed on 07/13/2004
- U.S. Basic National Fees filed on 07/13/2004
- Priority Documents filed on 07/13/2004

RECEIVED
PILLSBURY WINTHROP LLP/LA

JAN 06 2004

CL# 056318 MTF 0310543
ATTY(S) MIYOSHI + MIYOSHI
DUE: JAN. 10, 2005
DKT BY (1) MEG (2)

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

ANITA D JOHNSON

Telephone: (703) 305-3661

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,489	PCT/JP02/13836	0310543

FORM PCT/DO/EO/905 (371 Formalities Notice)



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FROM: Ayisha M. Roberts

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